



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3007732

Applicant Name: Constanza Marcheselli, Runberg Architecture Group,
PLLC for Union & Madison LLC

Address of Proposal: 1111 East Union Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story, 105 unit apartment building above 8,116 sq. ft. of ground level retail. Two levels of below grade parking for 71 vehicles to be provided. Review includes demolition of three existing structures (totaling 8,573 sq. ft.) and 16,300 cu. yds. of grading.

The following Master Use Permit components are required:

Design Review – Seattle Municipal Code Section 23.41 with Development Standard Departure:
1. Driveway Width (SMC 23.54.030.D)

SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

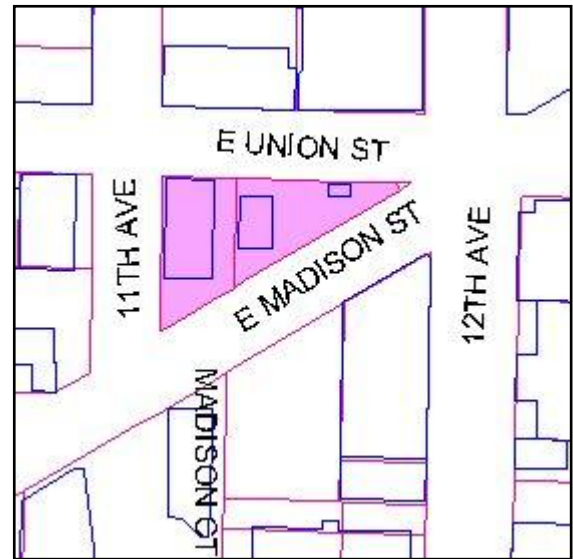
☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

SITE AND VICINITY

The site occupies an entire triangular block: the SE corner of the intersection of 11th Avenue and E Union Street, the NE corner of the intersection of 11th Avenue and E Madison Street, and the west corner of the intersection of E Union Street and E Madison Street. There is no alley located on or adjacent to the site.

The site is currently occupied by surface parking and three structures: a two-story wood frame multi-family building, and two one-story retail buildings.

The site slopes slightly, with the lowest elevation at the SW corner of the property and sloping upwards to the east and north. The NE corner of the property is approximately seven feet higher than the lowest corner.



The site is zoned NC3P-65' (Neighborhood Commercial 3 with a Pedestrian designation). 11th Avenue, E Union Street and E Madison Street are all designated principal pedestrian streets per the Land Use Code. Per SDOT, E Madison Street is designated a principal arterial and 11th Avenue and E Union Street are designated minor arterials. SDOT classifies E Madison Street a major transit street, E Union Street a minor transit street and 11th Avenue as a local transit street. All three streets are also classified as main streets per SDOT. The site falls within the "Pike-Pine Urban Center Village," a Pike-Pine neighborhood and Pike Pine Neighborhood Design Review Guidelines area, as well as the recently adopted Pike Pine Conservation Overlay District. The east corner of the site at the intersection of 12th Avenue, E Madison & E Union Streets is identified as a gateway by the Pike-Pine Urban Center Village Design Guidelines.

The adjacent zoning to the north, west, and east is also NC3P-65'. The adjacent zoning directly to the south is Seattle University major Institution Overlay MIO-105'-NC3P-65'. The zoning to the southeast is MIO-105'C-2-65' and the zoning to the southwest is MIO-105'MR. Two blocks to the southeast the zoning is L3 and L1. Five blocks to the southwest the zoning is NC3P-160'.

The development in the neighborhood to the north of the site is primarily a mixture of multifamily structures, automobile sales and repair shops, warehouses, retail and restaurants, and surface parking lots. The development in the neighborhood to the south and southeast of the site is primarily a mix of institutional and residential: Seattle University, Seattle Academy, retail shops, multi and single family structures.

The site is well-served by Metro transit bus route #12 adjacent to the site on E Madison Street & 11th Avenue and Metro transit bus route #2 on E Union Street & 12th Avenue.

PROJECT DESCRIPTION

The proposal includes demolition of the existing buildings and the construction of a new six-story building. The new structure would include approximately 91 residential units, ground level retail uses and below grade parking for approximately 37 vehicles. Access to the site is proposed from East Union Street.

PUBLIC COMMENTS

Approximately 30 members of the public attended the Early Design Guidance meeting held on March 5, 2008. The following comments were offered:

- Scheme F faces Madison but turns its back on 11th and Union. The massing along Union will cast shadow on the neighbors; consideration should be given to maximizing the solar exposure of neighboring properties.
- Flooding on the site often occurs and attention to storm water mitigation is needed.
- The proposed design concept is not responsive to the contextual buildings and should have stronger references to the older, rather than newer buildings in the neighborhood.
- Appreciate the effort to create a sculptural building design at this location, but feels the proposed open spaces should not be covered. The design concept should not override the reality of weather in the Northwest and a practical design response is warranted. The survival of the proposed vegetation is critical.
- The corner of 12th and Madison should be more grounded, to define the intersection with a hard corner. The courtyard and landscaping attention should be focused on 11th rather than Madison.
- Apartments under the overhang will be dark. Spaces for small businesses are appreciated and important to the character of Capitol Hill.
- The demolition of the multifamily building will displace affordable housing o Capitol Hill.
- Union Art Cooperative building is a landmark building. Union is the preferred pedestrian corridor, drop-off will be easier on Union. On a triangular lot, there is opportunity to have three “fronts” to the building and no backside. Madison is busy and loud and should be the automobile-oriented side with a bold statement; Union should be the pedestrian-oriented side with an inviting and more intimate design, as it already functions as a quieter pedestrian route. In Scheme F, the garage faces the front door of the Union Coop and the neighborhood beyond. The garage should be moved to 11th.
- Concerned that the creation of open spaces that are not located on the pedestrian circulation routes dictated by the existing crosswalks will encourage unsafe pedestrian movement. Instead, the pedestrian routes should help inform the location of building entrances and activity points on the subject site.
- Encourage green space and main entrances at the NW corner of the site (intersection of Union & 11th).
- Encourage urban precedents such as the Flatiron Building in New York which celebrates the corner rather than erode back from the corner.
- Suggest that the curb bulb at 11th and Union as the natural extension of a ground level courtyard on Union. This may also help to slow traffic at this intersection.
- The inspiration from nature that was presented doesn’t seem to translate into the proposed design schemes.
- The main entry should be located off of Union. This side of the building should be more intimate and inviting, while the Madison side should be more bold and strong. Union Street should not be considered the back of the building; rather it is one of three fronts and the most pedestrian friendly.

- Proposed contributions and improvements to the public realm in the sidewalk and ROW are great. Modern vocabulary and conceptual approach to the design is appreciated and there is a role for modern architecture in the neighborhood as well. Massing studies are too eroded; the mass should anchor all three corners, especially the corner that plays a role in defining the 5-way intersection at 12th and Madison.
- There is a memorial on the site for a slain police officer. This memorial plaque should be relocated and integrated into the proposed design.
- Madison is also the most direct pedestrian connection for people walking downtown. The design should anchor the corners, especially the acute corner at 12th and Madison.
- Seattle University will eventually redevelop the storage building on Madison and 12th. Madison will really benefit from the two-foot setback proposed; very appreciative of this gesture. Agree that the large windows to the Union Coop provide natural light important to the craft making that occurs in these residences and this light should be protected. The scheme with the cut out top should be flipped to be on Union to be more hospitable to the Coop. Encourage moving the garage entry from Union and making the design of the Madison façade very strong.
- Scheme C should be encouraged, which keeps a strong edge on Madison and makes Union less of a tunnel. Focus should be more towards Pike/Pine rather than to south.
- No garbage cans should be located on the street; do not treat Union like an alley.
- Headlights from cars exiting the proposed garage will potentially disrupt residences in Union Coop building.
- Consider integrating the driveway with an open courtyard,
- Raised open space plazas along Madison will be negatively impacted by street traffic noise.
- Would like to see improvements to the bus stop on Madison.
- The material palette should be simplified and ideally not include white trim along the windows.

The applicant applied for a Master Use Permit on September 4, 2009. Notice of Application was published on January 22, 2009 and a 14-day comment period ended on February 4, 2009. Several comments were received by DPD during this period.

- Request to be a Party of Record.
- Request for a SEPA public meeting accompanied by signatures of support for such a meeting. [Note: Based on later discussions with the neighbor who gathered the signatures, it was determined that many of the initial concerns had been addressed through the design review process and direct conversations with the applicants; therefore holding a SEPA public meeting was no longer necessary].

Approximately 12 members of the public attended the Initial Recommendation meeting held on September 2, 2009. The following comments were offered:

- Appreciate that the courtyard has been combined with the driveway and that this open space area is facing the Union Arts Coop. Also very appreciative of the proposed curb bulbs. Concerned that the proposed materials, how they are handled and lack of historical reference are not related to the neighborhood context, particularly aluminum siding. Concerned that the number of exterior lights are excessive and will have light spillover to neighboring properties.
- Confused by the location of the garage and the residential entry plaza space and how the circulation between cars and pedestrians in the same general area will be resolved.
- Sidewalks are too narrow due to the deep landscape buffer area and therefore diminish pedestrian flow. Concerned that the entry area is not secure by having such a recessed space. Feels the drawings

are inaccurate. The architectural context does not have a roof design that rises to a high point. The fenestration pattern lacks rhythm and does not fit into or respect the historic context.

- Like the modern design, but feels there is too much happening and that the fenestration should follow a more regular pattern.
- Concerned with the proposed colors and materials and finds them dull. The unusual site shape calls for a bold design and form, but the proposed design does not achieve this potential.
- The new design does not reflect the historic context.

Approximately 12 members of the public attended the Final Recommendation meeting on December 2, 2009. The following comments were offered:

- Impressed with the degree of responsiveness to the Board's comments from the previous meeting. Does not feel that good examples of historical building were used to examine the context. Union Street should have a more consistent and contextual façade. The floating quality of the building body and the proposed colors are not typical of the historic structures. Concerned that the proposed bollards may disrupt the pedestrian circulation. Would like the fenestration to be more symmetrical.
- Pleased with of the improvements. Questions the material palette. Would like the east facing ground floor to be more transparent and open up to the activity.
- Vast improvements have been made to the modulation. The residential levels are such a dark color over a glassy base, that there is a discordant appearance. The corners are treated opaquely and should extend the full height of the building. The residential entry and driveway area may have conflicting activities between pedestrians and cars. Would like the driveway to be located along the west edge of the property.
- Prefer the burgundy color to the champagne. Feels the heavy mass over the glass base is uncomfortable. Prefer the entryway option as shown.
- Sorry to see the elimination of the sloped roof line. Would like to see more glass at the corners for a more modern style. Prefers the "glass box" entry option.
- Likes the floating quality of the building body over the base because it is different and adds something new to the neighborhood.
- Supports the parking entrance that seeks to integrate the vehicular entry and with the residential entry. This confluence of activity will create traffic calming conditions.
- Oppose the proposed siding of the building because corrugated metal over a concrete base is too common among new buildings in the neighborhood. This palette appears cheap and formulaic. The materials should be more precedent setting for the context and complimentary of the older brick buildings.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three code-compliant schemes were presented at the Early Design Guidance meeting. All of the options include a driveway entrance from Union Street (the longest side), a residential lobby on 11th Avenue, and a setback at grade from the property line to provide 13'-6" sidewalks.

The first scheme (Scheme C) proposed retail and residential units to form an "L" along 11th Ave & E Madison St and a courtyard proposed on the north mid block at E Union St. Additionally, the first scheme (Scheme C) proposed upper level open space located on Level 2 at the south, east and north.

The second scheme (Scheme D) proposed retail and residential units to form an “L” along 11th Ave & E Union St and a courtyard proposed on the south mid block at E Madison St. Additionally, the second scheme (Scheme D) proposed upper level open space at level 5 at the south and east of the site to take advantage of southern exposure.

The third scheme, preferred by the applicant, (Scheme F) proposed retail and residential units to form an “L” along 11th Ave & E Union St and a courtyard proposed on the south mid block at E Madison St. Additionally, the third scheme (Scheme F) proposed upper level open space located on Level 2 at the south and east to take advantage of southern exposure.

The site plan, applicable to all three schemes proposes filling in seven existing curb cuts, adding one curb cut for the driveway entrance on E Union St, and adding new curb bulbs and crosswalks at the corners of 11th Ave and E Madison St and 11th Ave and E Union St. All of the alternatives showed multiple smaller retail spaces that could be divided into as many as eight separate spaces and a minimum of four spaces depending on the needs and interests of retail tenants.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle’s Design Review: Guidelines for Multifamily and Commercial Buildings of highest priority to this project. Additionally, consultation with the Pike/Pine Neighborhood Community Design Guidelines and Capitol Hill Neighborhood Design Guidelines have allowed the Board to provide further elaboration on these guidelines identified as highest priority.

The design presented at the Initial Recommendation meeting has evolved considerably since the Early Design Guidance meeting. The massing of the building is shifted to the Madison street frontage and away from Union Street, allowing for some ground level open space to occur on the north side of the building, across the residential neighbors. The retail spaces have greater than 13 foot floor to ceiling heights with large transparent storefront windows. Several smaller retail spaces have been designated with multiple doorways around the base of the building with the residential entry off of Union Street.

The building meets and holds the corner along Madison and is notched back at the Union Street and 11th Avenue corner to create a setback from the Union Arts Coop building across Unions Street. The building facades are set back between four and 14 feet from the property lines and dense landscaping is proposed for the planting strips.

The 16 existing on street parking stalls will be increased to 20 with the redesigned curb bulbs. The proposed materials include a dark bronze colored metal with two different rib designs, a champagne colored metal siding, a dark red perforated metal for the soffit details, architectural concrete at the building base, aluminum storefront windows and light grey vinyl windows for the residential floors.

At the Final Recommendation meeting, a revised and refined design was presented to the Board, along with a neighborhood study analysis. The updated design included changes to the fenestration, color palette, canopies, landscaping and building form. The Board was very enthusiastic with the project team’s responsiveness to the guidance offered at the previous meeting.

Site Planning

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Pike/Pine: Characteristics and opportunities to consider in Pike/Pine include both views and other neighborhood features including:

- *A change in street grid alignment causing unique, irregular-shaped lots, including Union and Madison and 10th and Broadway Court*
- *“Bow tie” intersections at 13th/14th between Pike/Pine/Madison*

- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

- A-4 Human Activity.** New development should be sited and designed to encourage human activity along the street.

- A-5 Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

- A-7 Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Pike/Pine: Locating a significant amount of open space on rooftops is discouraged. Open space at street level and features that provide visual relief on building facades, such as balconies, are encouraged.

- A-8 Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

- A-10 Corner Lots.** Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Pike/Pine: Buildings on corner lots should reinforce the street corner. To help celebrate the corner, pedestrian entrances and other design features that lend to Pike/Pine’s character may be incorporated. These features include architectural detailing, cornice work or frieze designs.

The Board felt that the project massing could be strengthened by a stronger urban edge along E Madison St. Although Madison is used by pedestrians walking to/from downtown, this is more of a “beeline” activity. The Board reminded the applicant to be mindful of the noise along E Madison St in developing the residential open space, and suggested that the applicant consider a rooftop deck that would be more removed from the noise of the street and also take advantage of the views to downtown. Other ground level open spaces should be situated away from Madison. The Board agreed that developing the 11th Ave design to respond to and enhance the strong pedestrian connection is critical.

The Board enthusiastically supported and encouraged the proposed minimum two foot setback on all three sides of the site to create more sidewalk width and opportunities for planting.

The Board recommended the applicant inquire about whether the angled parking on 11th will be changed in the near future.

The Board acknowledged that Union may be the most appropriate location for the garage entrance, since 11th Ave is one-way and E Madison St is such a busy arterial. However, the Board encouraged the applicant to study shifting the garage entrance so that it did not face the entry of the Union Coop. The Board also felt that the driveway angle should be designed so as to avoid glare from headlights into neighboring residences. The driveway design could also be integrated into a larger entry open space area to help buffer the visual effect of the driveway with pavers, vegetation, etc.

The Board encouraged the applicant to request a Design Departure to reduce the driveway width.

The Board would also like to see the corners more anchored, particularly the corners along E Madison St.

At the Initial Recommendation Meeting, the Board discussed the need for the design to be more attentive to the neighborhood vernacular and create a contemporary building that is responsive and sensitive to the historic iconic buildings found in the Pike Pine corridor.

The Board was pleased that the proposed driveway width may be reduced via a departure request. The Board was also supportive to anchoring the Madison corners with the building and situating the open space on the north side, across from the Union Arts Coop Building. Creating usable, inviting sidewalks that are wide and well landscaped to buffer the pedestrians from the cars continues to be an important aspect of the project design that needs improvement as it evolves forward.

The Board was enthusiastically in support of the two proposed curb bulbs as well as the proposed mid-block bulb. These expanded areas will significantly enhance the pedestrian experience and allow greater opportunities for landscape and hardscape features.

Height, Bulk, and Scale

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.**

The Board felt this guideline applied with respect to compatibility with adjacent properties in how the building massing affects neighboring residences and properties in terms of shadow and solar exposure. The Board noted that they would not support a massing scheme that opens on to Madison (see A-1, A-2, A-4, A-5, D-1).

At the Initial Recommendation Meeting, the Board was pleased with the overall massing of the building that shifts the bulk toward Madison and opens up to the north with open spaces and wide pedestrian spaces. The shadow and solar studies show that the impact from the massing to the neighbors to the north is minimal given the redevelopment of the subject site to the maximum building envelope.

Architectural Elements

- C-1 Architectural Context** – New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Pike/Pine: The Pike/Pine vernacular architecture is characterized by the historic auto-row and warehouse industrial features of high ground floor ceilings and display windows, detailed cornice and frieze work, and trim detailing. Architectural styles and materials that reflect the light-industrial history of the neighborhood are encouraged.

- C-2 Architectural Concept and Consistency.**

- Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.
- Buildings should exhibit form and features identifying the functions within the building.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Pike/Pine: New developments should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (DryVit is discouraged) with wood and metal as secondary, or accent materials.

The Board agreed that the design should endeavor to both reference the historic buildings in the area, while also taking advantage of the acute angles at the corners and exploit the triangular geometry to express the corners and create a dramatic, bold design. The Board did not feel that eroding away at the corners would be the most opportune response to the site geometry. Scheme C feels the most urban and appropriate to the site. The building should hold the Madison corners and define the street edge, exaggerating the gateway location.

The Board was also interested in how the initial inspiration of movement and naturalistic expression would be clearly articulated in the design.

The Board strongly stressed that the proposed material palette should include durable materials, such as masonry, metal, etc. The Board noted that hardi-panel will not be acceptable.

The Board was concerned about the proposed design trying to erode the building from below and the dark open spaces that would be created below the overhangs. They also discussed that the soffits of these proposed overhangs will become a “fifth façade,” and the materials chosen for these undersides will be important. If this approach is further pursued, the Board will be very interested in the quality, functionality and practicality of these open spaces.

At the Initial Recommendation Meeting, the Board expressed concern that the proposed design is too busy and should be simplified in a manner that is responsive to the neighborhood context. The Board specified that they are not recommending historical mimicry in the proposed design, but that the building lines and rhythm and simplicity in form should take cues from the noteworthy buildings that help define the Pike Pine neighborhood. The design will be dynamic simply due to the triangular shape and location of the site along Madison– thus additional modulations and gestures that further complicate the building are not necessary.

The Board recommended that the design focus on providing depth to the three facades with the treatment of the fenestration. Using punched windows and materials that are not coplanar would give dimensional relief to the elevations and add visual interest and detail. Likewise, the use of the materials should follow the rhythm of the building form in a systematic and patterned manner. The Board recommends that all three sides of the building be treated in a similar, consistent fashion.

The Board also agreed that the materials should be warmer, especially at the pedestrian level. The dark tones may work well, but the materials and architectural detailing should be more inviting and less stark.

The Board would be supportive of the prow feature if it is consistent with the overall design approach throughout the rest of the building.

At the Final Recommendation meeting, the Board was pleased with the revised and simplified fenestration that is consistent on all sides of the building. The windows are grouped to include two floors per opening to create a double height appearance above the base. The top floor is distinguished with a single height window opening. The windows have also been adjusted to include deeper punched openings with eight-inch recesses to give more depth to the facades.

The Board was supportive of the warmer material palette that includes a bronze colored metal siding for the building body, champagne colored accents and wood finishes at the residential entrance and a dark burgundy color for the spandrel accent color. The Board agreed that the spandrel accent color can be left to the architect for final selection. Two color options were shown for the vertical recessed portions of the building: champagne or bronze. The Board was in agreement with the applicant that the recessed areas should be the same bronze color as the building body.

Finally, the arcade configuration has been eliminated from the revised design and the retail spaces were pulled forward to reinforce the urban street edge. The suggestion that the transparency from the base be extended upwards at the corners was considered by the Board, who felt that such a move was unnecessary. The Board agreed that the glassy base with the building mass floating above was an interesting concept and that the concrete columns at the base would appear as anchors to the building.

Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks, and mechanical equipment away from the street where possible. When elements such as dumpsters, utility meters, mechanical units, and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The Board weighed the pros and cons of situating the open spaces on Madison which will have better solar exposure than the other street sides, but is much louder and busier than the other sides. Given the realities of Madison as a highly trafficked east-west arterial, the success of open spaces, especially at grade or at lower levels, on this street is highly compromised and unlikely to be usable. Thus, the Board agreed that the open spaces should be shifted to other sides of the site and the Madison façade should provide a strong urban edge that protects the rest of the site. The Board was really pleased with the proposed minimum two foot setbacks on all sides to widen the sidewalks.

The Board did not have a preference as to whether the residential entrance should be on 11th or on Union, but agreed that Madison would not be appropriate.

At the Initial Recommendation Meeting, the Board agreed that the angled configuration of the residential entry created an uncomfortable, somewhat awkward plaza area, especially when in close proximity to the driveway. The Board suggested shifting the entry forward to eliminate the angle. The Board also noted that the simplification of the entry area should extend upward to the top of the building form and mass.

The Board discussed the converging and somewhat competing function of this plaza area for pedestrian, resident and vehicular use. The safety of pedestrians passing by and/or accessing the building should be paramount in the design of this dual functioning space. The Board supported changing the paving pattern, maintaining open views and reducing the driveway width to enhance the sense of openness of the plaza area, but also to have the design more clearly differentiate between the pedestrian and vehicular circulation. The Board also noted that the design of the corner at 11th Avenue and Madison should be further examined to work cohesively with the rest of the building.

The Board noted that at the next meeting, they would like to see long views down Madison from both directions to see how the building fits into the context of the blocks along the Madison corridor.

The Board would also like to see more details of the retail entrance areas. The retail spaces should be design to allow for individuality of the shops to express themselves through signage, landscaping, outdoor seating, etc.

At the Final Recommendation meeting, the design showed that the residential entrance area has been simplified and brought forward to create a more protected plaza area. Three different designs for this entrance were presented including an integrated exposed concrete frame entry with exposed wood, a glassy structure for the entryway and a continuation of the material expression of the building body. The Board expressed a preference for the third option of a glassy jewel box entryway that serves as a sort of gasket between the two main building masses.

The retail signage will be either blade signs or hanging signs from the overhead canopies.

Landscaping

- E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

The Board encouraged the applicant to enhance the landscaped pedestrian connection from Seattle University to Cal Anderson Park. The Board also felt that the design should take advantage of the enlarged curb bulbs at the site as further opportunity for landscaping. The Board was pleased with the concept of providing ground level open space and agreed that harnessing the proposed extra right-of-way area of the curb bulb at 11th and Union would make sense in terms of locating open space at or near that corner, also reinforcing the Seattle University – Cal Anderson linkage. See also D-1.

The Board was very supportive of the proposed landscape design concept that includes green street designs, a green roof system, bio-retention and the integration of artwork into the open spaces and/or right-of-way.

The Board encouraged locating some amenity space on the roof, which will be quieter and removed from the activity surrounding ground level open spaces.

The Board reiterated that all three building facades should be treated as front sides, each with different conditions.

The Board also stated that they would like the memorial plaque protected and integrated into the proposed landscape plan.

At the Initial Recommendation Meeting, the Board encouraged the landscape design to reinforce and extend the building design. All of the proposed design for open spaces must be presented at the next meeting in order for the Board to review the proposed treatment and design of these areas. The Board would like to see wider sidewalks provided, while continuing to have densely landscaped planting strips that serve as a buffer between the streets and sidewalk and soften the urban edges.

The Board also noted that the roof plan is important as it is visible from higher points of the neighborhood.

The Board would also like further clarification on the overhead whether protection location, soffits, depth and detailing. The Board recommended that the overhead protection be continuous around the entire building to protect pedestrians from the elements.

At the Final Recommendation meeting, the Board agreed that the revised right of way design was greatly improved by the refinements to the previous design. The revised design includes a widened sidewalk (eight feet) on Union Street, seating, landscaping and art. The Board also appreciated the placement of the bollards to better alert pedestrians to the vehicular activity of the driveway. For this same reason, the Board also supported the change of scoring in the pavement to indicate the driveway.

The Board was pleased with the more detailed version of the rooftop open space which includes a fireplace, greenhouse and seating.

The revised design also includes three types of overhead canopies applied consistently around the building perimeter. The glass and steel canopies are along the sidewalks, cantilevered solid, champagne colored metal awnings are located at the two acute corners of the building and a third, unique canopy is located at the residential entrance. The exterior light fixtures have been simplified to include up-lighting at the three corners and recessed cans that are down-lit around the building perimeter. The Board was very supportive of the solid canopy to reinforce the drama of the acute angle of the two building corners.

DEVELOPMENT STANDARD DEPARTURES

One departure from the development standards was proposed at this phase.

- 1. DRIVEWAY WIDTH (SMC 23.54.030.D):** The applicant proposes a departure from the driveway width standards, from 22 feet to 18 feet to access the below grade parking. The Board suggested that the applicant endeavor to minimize the driveway presence through design, while providing a visible, safe residential entrance. The Board voted unanimously in favor of the reduced driveway width because the residential plaza is the primary focus of the design and the vehicular entry is secondary. The inclusion of bollards and different paving of the driveway will provide a visual cue to the potential for cars, while also maintaining an emphasis on the pedestrian. The driveway area will add to the overall sense of openness of the plaza space.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site;*
or
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Three members of the Capitol/First Hill/Central Area Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional

analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

The proposal is for 8,116 square feet of commercial space and 101 residential units, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and an urban center and exceeds the 12,000 square foot threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 14, 2008 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA

authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 16,300 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 16,300 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Traffic and Transportation

A Trip Generation Memorandum for the proposed project was prepared by William Popp Associates, dated April 30, 2009. The report compares the existing trip generation with an estimate of the total amount of new trips to be generated by this project. According to the memo, the proposed development will increase the daily number of trips to the site by 390 trips and 45 of those estimated trips are expected to occur during the PM peak hours. The net new impact to the surrounding street system is estimated to be 523 daily trips, with 28 during the AM peak hour and 44 during the PM peak hours. These estimates do not reflect any multi modal trip adjustments for alternative modes of travel including transit, bicycle and pedestrian traffic. The urban location of the site, easy access to public transportation and proximity to neighborhood services strongly suggest that the actual increase in daily trips will be much lower than the figures estimated in the study.

Parking

The proposed development is located in the Capitol Hill Urban Center where parking is not required per SMC 23.54.015B2. However, the proposal includes 71 parking spaces to be provided below grade and accessed from a driveway via East Union Street.

Parking generation rates associated with High Rise Apartment and retail from the Institute of Transportation Engineers (ITE) Parking Generation Manual (3rd Edition) and the Urban Land Institute's Shared Parking were used to estimate the project's parking demand.

According to ITE, the project would generate a peak parking demand of 144 vehicles for residential uses and 32 spaces for 8,116 square feet of retail use. The difference of 105 parking spaces between the estimated parking demand of 176 spaces and the 71 parking spaces being provided is unlikely to create adverse parking strain on the surrounding streets for several reasons. First, the parking demands for the residential and retail uses are likely to occur at different peak hours and therefore are not additive and are not expected to conflict with one another. Nearly all of the residential parking is likely to be accommodated on site during the peak hours. This reduction in parking demand is also reinforced by the 2000 Census that shows the vehicle ownership rate for households located in the tract containing and abutting the site to be .71 vehicles per housing unit. Based on these factors, the residential parking demand is more realistically expected to be around 75 stalls for the 105 residential units. Within this range of parking demand, parking demand from the project may be comfortably accommodated on site and is not expected to noticeably affect on street parking availability.

These figures also do not include data from dense urban areas with public transit options, as well as significant pedestrian activity. These conditions are present at the subject site and are anticipated to decrease the parking demand for the parking associated with the commercial uses. Because the peak hours of commercial and residential uses are not additive, it is unlikely that the parking demand will exceed the parking provisions. However, because the exact commercial uses are unknown at this time and in an effort to help reduce the parking demand generated by the project, the following condition shall apply to the project:

1. A Parking Management Plan shall be adopted that requires shared parking between commercial and residential uses between the hours of 8 am and 8 pm.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.
2. A Parking Management Plan shall be adopted that requires shared parking between commercial and residential uses between the hours of 8 am and 8 pm.

During Construction

3. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.
4. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

DESIGN REVIEW

Important Design Requirements to be Confirmed Prior to Building Permit Issuance

- a) The recessed areas should be the same bronze color as the building body.
- b) Preference for the third option of a glassy jewel box entryway that serves as a sort of gasket between the two main building masses.
- c) Support for the solid canopy to reinforce the drama of the acute angle of the two building corners.
- d) Support for the more detailed version of the rooftop open space which includes a fireplace, greenhouse and seating.
- e) Support for the widened sidewalk (eight feet) on Union Street, seating, landscaping and art, as well as the placement of the bollards to better alert pedestrians to the vehicular activity of the driveway and the change of scoring in the pavement to indicate the driveway.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of any Certificate of Occupancy

5. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as those documented in the approved plans dated April 6, 2010.

Signature: (signature on file)
Lisa Rutzick, Senior Land Use Planner
Department of Planning and Development

Date: July 15, 2010